



The Advocate

affecting change in Colorado’s laws, policies, and attitudes

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AFC MISSION STATEMENT

AFC supports those with a sex offense and their families by:

- Advocating for change in sex offense laws and policies, and for the adherence to constitutional rights;
- Educating the public, lawmakers, and the judiciary;
- Promoting the successful reintegration of those with an offense into the community, thus reducing victimization and enhancing the safety of all.

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A MESSAGE FROM THE CHAIR

Hello Advocates,

A new year and new resolve: AFC and our partners who make up our Coalition for Change continue to meet and stay informed on issues that impact people convicted of a sexual offense and their families. Although change is creeping and so very slow, we have seen some movement over the years. We’ve seen many people paroled and start a new life.

Currently, the Parole Board doesn’t seem to make as many positive decisions that AFC believes should be considered, but we try and stay abreast of their work and how it affects people seeking parole. Parole itself has been much more positive – maybe a bit difficult upon release – but over time if a good relationship is established with the parole officer, things have generally improved for parolees.

Housing remains an issue but we have access to people working to make that easier. We continue to work on resolving the treatment issues in DoC and maybe the legislature will hear us and can help in that regard. Just know we are still out here trying to make a difference.

Pat Harris, Chair
Advocates for Change

AFC GENERAL MEETING

The November meeting had been planned for guest speakers, Rep Judy Amabile and Rep Shannon Bird. But due to an emergency legislative meeting, our guests had to postpone their visit. AFC learned that about our guest speakers at the last moment – so, what to do to be of benefit to the attending members and guests? As it turned out, we had three new people who were involved in the judicial system either for themselves or for people they love. The expertise of the AFC people and others who are a part of other groups provided support and information to our surprise guests.

Our February meeting will be on February 27, 2024, 7:00 pm, Rocky Mountain Miracle Center, 1939 S. Monroe Street, Denver CO 80210.

INSPIRATION**THIS COULD BE YOU**

"After years of being told I wouldn't be able to have anything but a very low level job while I was on parole. Only low income and meaningless work would be available". A quote from a parolee who wanted people to know and have hope.

As it turns out, even while on Parole, I was able to pass a federal background check, pass the CDL license test and later with a lot of study, I passed the test for hauling hazardous material. The CDL license has provided me with enough income to have my own apartment and a truck. With the additional license I can make an even better income.

Now this didn't just happen the minute I left prison. It took a while to prepare for the CDL license while working another job. But, despite what I was told while in prison that my prospects were dim, I find myself in a really good place with potential for an even better future.

Don't believe you can't find a good job, there is in fact, the real possibility of a full life. But you have to plan to work for it. The need for CDL licensed drivers is great and if you really want it, you can get it.

Never, never, never give up.

—Winston Churchill

.....COLORADO'S INABILITY TO PROVIDE PEOPLE WHO ARE ELIGIBLE FOR PAROLE WITH REQUIRED SEX OFFENDER TREATMENT – WISMER V. STANCIL

Michael Karlik michael.karlik@coloradopolitics.com, Jan 1, 2024

A federal judge recently dismissed an incarcerated man's challenge to his lack of sex offender treatment in the Colorado Department of Corrections, despite having no idea when he will have access to that mandatory component of his criminal sentence.

U.S. District Court Senior Judge William J. Martínez determined David A. Wismer III did not sufficiently allege Colorado committed a constitutional violation by repeatedly de-prioritizing him for treatment and keeping him incarcerated beyond his parole eligibility date

Martínez ultimately agreed with the state about two technical failures of Wismer's lawsuit: He failed to allege he was totally deprived of treatment at the facility where he resided and he neglected to say whether he ever requested a transfer to another facility where he could receive treatment, Martínez indicated he was

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"generally in agreement" with District Judge Nina Wang (May 2023), regarding two other men who had credibly alleged the state was violating their constitutional rights by depriving them of the ability to complete sex offender treatment, but Wismer's case appeared to involve only a delay of treatment, not "deprivation" of treatment.

U.S. District Court Judge Daniel D. Domenico, who ruled in February that a detainee does not have a constitutional interest in receiving treatment, Martínez permitted Wismer to submit an amended complaint based on his ruling.

RELEASE OF INFORMATION TO CDOC

The National Association for Rational Sexual Offense Laws will be having it's annual conference in Houston TX from June 22-25, 2023. The conference is a great opportunity to meet people traveling the same journey, and working to correct the wrongs of the system. The conference has five main speakers and seven breakout sessions. It's a chance to mix and meet people from all over the United States and learn from them. If individuals are interested go to the NARSOL website at NARSOL.org.

SO REGISTRY A "COLOSSAL FAILURE OF POLICY"
NARSOL'S FLORIDA AFFILIATE LEADER TELLS THE U.N.
BY FLORIDA ACTION COMMITTEE

Oct. 16, 2023, Gail Colletta, president of the Florida Action Committee, NARSOL's affiliate organization in Florida, spoke to the United Nations in Geneva, Switzerland, about the inhumanity of the registry and residency restrictions. She was allowed only two minutes to speak, and she certainly packed a lot into those two minutes. See Below:

Good morning, I am Gail Colletta, President of the Florida Action Committee (FAC). My remarks to the Committee will emphasize the sex offender residency restrictions (known as SORRs) and its effects on rendering people homeless.

United States federal law mandates that each state has its own Sex Offender Registry, which does not limit where registered persons can live. However, states have increasingly been developing SORRs.

Let me tell you about Ira A., a 71-year-old man diagnosed with cancer while being rendered homeless because of Florida's SORRs. His doctors wouldn't operate on him until he had a safe place to recover. Because of the state's exclusion zones, the county Sheriff's office rejected Ira's right to access a rehabilitation center, an assisted living facility, a shelter, even his sister's home. Ira was tragically killed by a hit and run driver who left him to die on the street. A man that old, sick, and frail should not have been homeless, especially when his family was ready and willing to care for him in their home. Sadly, this is not an isolated story.

In some cases, SORRs effectively banish registrants from living in entire cities. The problems caused by SORRs are particularly severe for registrants reintegrating into society. FAC receives calls from probation officers and treatment providers to assist them in locating housing for registrants. The number of registrants increases annually, as registration is for life in Florida.

There is no empirical evidence to support that SORRs reduce sexual offending or recidivism. Rather, numerous studies, even by the U.S. Department of

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Justice, demonstrate that SORRs create barriers to stability and successful reentry.

In closing, let me emphasize that SORRs— as well as the entire sex offender registry scheme in the U.S. — reflect a colossal failure of policy – a failure, which the US Govt nonetheless continues to promote to other countries to implement. Not only do SORRs cause direct harm without any benefit to public safety, but SORRs breach several enumerated Human Rights Violations as outlined in our shadow report and, it is a cruel and inhumane system of law that forces human beings to live without dignity.

We ask this Committee to hold the U.S. Government accountable by condemning and eradicating these sex-offender residency restrictions for their consequential, often lifelong impacts on individuals' rights to receive adequate, humane housing and stability.

Thank you for your time.

CO TREATMENT SOLUTIONS COMMITTEE

The legislature required the SOMB to create a committee to help solve the problem of not having enough SO treatment. The SOMB met over several months, five meetings. The report was written and it will be addressed by the Joint Judiciary on February 21, 2024. Unfortunately, the report only addresses problems and provides no recommendations to the Judiciary. This could be a problem since the Judiciary is not in a position to make informed recommendations.

WHAT TO DO,

HOW TO BE SUPPORTIVE, WHERE TO GO TO FIND ANSWERS

THE AFC RESOURCE GUIDE FOR FAMILIES OF ADULTS ACCUSED, CHARGED OR CONVICTED OF SEXUAL OFFENSES IN COLORADO is available for you. The Guide moves you from **THE ARREST TO PAROLE** and sections can be printed for the present situation. The Guide was presented to the SOMB and they expressed great appreciation for finally having something like this to help. You or your family can access the Guide at at the AFC website:



<https://www.advocates4change.org/>

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Editorial Policy

The Advocate is published by Advocates for Change. We provide information on our efforts to affect change in legislation, treatment, and re-integration into the community, primarily for those who have been convicted of a sex offense. Nothing offered by AFC is intended to be legal advice, and any information provided should never be a substitute for obtaining counsel and/or conducting your own research.

Submissions from inmates/offenders, parolees, and members, are encouraged. Please limit articles to 300 words. The editor reserves the right to publish all, part or none of the contributions submitted. Send contributions for publication and/or comments on the newsletter to: Advocates for Change, Newsletter Editor, PO Box 103392, Denver, CO 80250.

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